

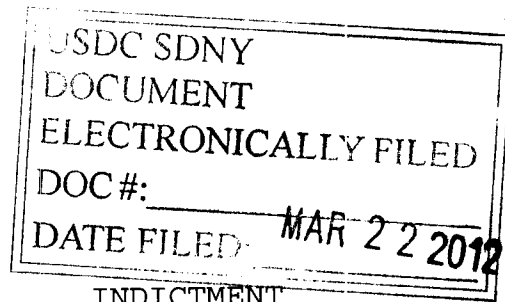
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v.-

LUIS FIGUEROA,

Defendant.



INDICTMENT

12 Cr.

12 CRIM 233

COUNT ONE

(Narcotics Conspiracy)

The Grand Jury charges:

1. From at least in or about November 2011, up to and including on or about December 20, 2011, in the Southern District of New York and elsewhere, LUIS FIGUEROA, the defendant, and others known and unknown, knowingly and willfully did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that LUIS FIGUEROA, the defendant, would and did distribute and possess with the intent to distribute a controlled substance, in violation of 21 U.S.C. §§ 812 and 841(a)(1).

3. The controlled substance involved in the offense was 5 kilograms and more of mixtures and substances containing a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers, in violation of 21 U.S.C. § 841(b)(1)(A).

JUDGE CARTER

Overt Acts

4. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. In or about November 2011, a co-conspirator not named as a defendant herein ("CC-1") drove a tractor-trailer from California to New Jersey. The tractor was outfitted with hidden compartments, which contained cocaine and heroin.

b. On or about November 9, 2011, in New Jersey, CC-1 delivered approximately 38 kilograms of cocaine and heroin to another co-conspirator not named as a defendant herein ("CC-2").

c. On or about November 9, 2011, in New Jersey, CC-1 delivered approximately 30 kilograms of cocaine to LUIS FIGUEROA, the defendant.

d. On or about November 9, 2011, in New Jersey, after making the above deliveries to FIGUEROA and CC-2, among others, CC-1 possessed approximately 1 kilogram of cocaine and approximately \$300,000 in cash.

e. In or about November 2011, in Newark, New Jersey, CC-2 delivered approximately 8 kilograms of cocaine to FIGUEROA.

f. On or about December 5, 2011, in New Jersey,

CC-2 possessed approximately \$750,000 in cash, which represented some of the proceeds of the drugs that CC-1 had delivered on or about November 9, 2011.

g. On or about December 20, 2012, in the Bronx, New York, FIGUEROA possessed approximately \$150,000 in cash, which represented some of the proceeds of the drugs that CC-1 had delivered on or about November 9, 2011, as well as records reflecting narcotics transactions.

h. In or about December 2011, in Yonkers, New York, FIGUEROA possessed a money counter, packaging equipment, records reflecting narcotics transactions, and three loaded guns: an Intratech 9mm handgun, a .40 caliber Ruger semi-automatic handgun, and a .357 caliber Ruger GP100 revolver.

(Title 21, United States Code, Section 846.)

COUNT TWO

(Unlawful possession of a firearm by a convicted felon)

The Grand Jury further charges:

5. At least in or about December 2011, in the Southern District of New York, LUIS FIGUEROA, the defendant, having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce a firearm, to wit, an Intratech 9mm handgun, a .40 caliber Ruger semi-automatic handgun, and a .357 caliber Ruger GP100 revolver, which had been

shipped and transported in interstate and foreign commerce.

(Title 18, United States Code, Section 922(g)(1).)

COUNT THREE

(Unlawful possession of a firearm in connection with a drug trafficking offense)

The Grand Jury further charges:

6. At least in or about December 2011, in the Southern District of New York, LUIS FIGUEROA, the defendant, knowingly, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the drug trafficking crime alleged in Count One of this Indictment, did use and carry a firearm, and, in furtherance of such crimes, did possess a firearm.

(Title 18, United States Code, Section 924(c)(1)(A)(i).)

FORFEITURE ALLEGATION

7. As a result of committing the controlled substance offense alleged in Count One of this Indictment, LUIS FIGUEROA, the defendant, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting and derived from any proceeds the defendant obtained directly and indirectly as a result of the offense and any and all property used and intended to be used in any manner and part to commit and to facilitate the commission of the offense alleged in Count One of this Indictment.

Substitute Assets Provision

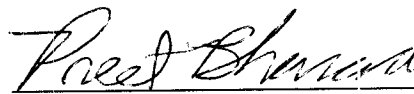
8. If any of the above-described forfeitable property, as a result of any act or omission of the said defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the said defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)

FOREPERSON



PREET BHARARA
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

LUIS FIGUEROA,

Defendant.

INDICTMENT

12 Cr.

21 U.S.C. § 846; and 18 U.S.C.
§§ 922(g)(1) and 924(c)(1)(A)(i)

PREET BHARARA

United States Attorney.

A TRUE BILL



Foreperson.

3/22/12 - Filed indictment. Case assigned
to J. Carter.

J. Fox
U.S.M.J.